

MEF:BR:DPP
F. #1998R00129
ABOUSHI.IND

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

(C)AHMAD ABOUSHI, also known as
"Michael Aboushi,"
"Mike Bush," "Mike Boushard,"
"David Bushard," "John Bushard,"
"Charles Aboushi," and
"Charles Bush,"
EMAN ABOUSHI, also known as
"Eman Muhsen,"
PETER STIEBEL, also known as
"Peter Red,"
(C)EZZ FARRAJ, also known as
"Eddie Farraj,"
SHAWN STIEBEL,
(C)GLEN ALAN MOORE, also known as
"Pee Wee," and
NARVIS BENTON, also known as
"Norris Benton,"

Defendants.

- - - - - X

THE GRAND JURY CHARGES:

COUNT ONE
(Robbery Conspiracy)

1. In or about and between March 1995 and June 1995,
both dates being approximate and inclusive, within the Eastern
District of New York and elsewhere, the defendants AHMAD

3

ABOUSHI, also known as "Michael Aboushi," "Mike Bush," "Mike Boushard," "David Bushard," "John Bushard," "Charles Aboushi," and "Charles Bush," EMAN ABOUSHI, also known as "Eman Muhesen," PETER STIEBEL, also known as "Peter Red," EZZ FARRAJ, also known as "Eddie Farraj," SHAWN STIEBEL, GLEN ALAN MOORE, also known as "Pee Wee," and NARVIS BENTON, also known as "Norris Benton," together with others, knowingly and intentionally conspired to obstruct, delay, and affect commerce, and the movement of articles in commerce, by robbery, in that the defendants and others conspired to rob the drivers of trucks belonging to various businesses.

(Title 18, United States Code, Sections 1951 and 3551
et seq.)

COUNT TWO
(Conspiracy)

2. In or about and between March 1995 and May 1997, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, also known as "Michael Aboushi," "Mike Bush," "Mike Boushard," "David Bushard," "John Bushard," "Charles Aboushi," and "Charles Bush," EMAN ABOUSHI, also known as "Eman Muhesen," PETER STIEBEL, also known as "Peter Red," EZZ FARRAJ, also known as "Eddie Farraj," SHAWN STIEBEL, GLEN ALAN MOORE, also known as

"Pee Wee," and NARVIS BENTON, also known as "Norris Benton," together with others, knowingly and intentionally conspired to:

(1) possess goods and chattels having a value in excess of \$1000.00, which had been stolen from motortrucks, other vehicles, storage facilities, stations, and depots and which moved as and which constituted and which were part of interstate and foreign shipments of freight, express, and other property, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 659; (2) transport various motor vehicles in interstate commerce, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2312; and (3) possess and sell goods, wares, and merchandise having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, in violation of Title 18, United States Code, Section 2315.

3. In furtherance of the conspiracy and to effect the objectives thereof, the defendants AHMAD ABOUSHI, EMAN ABOUSHI, PETER STIEBEL, EZZ FARRAJ, SHAWN STIEBEL, GLEN ALAN MOORE, and NARVIS BENTON, together with others, committed and caused others to commit the following:

OVERT ACTS

a. On or about March 27, 1995, in Rhingol, Virginia, PETER STIEBEL and EZZ FARAJ, together with others, kidnapped a truck driver and stole his truck, which contained cases of cigarettes.

b. On or about March 27, 1995, PETER STIEBEL drove the above-referenced truck, its driver and the cases of cigarettes from Rhingol, Virginia to Queens, New York.

c. On or about and between March 27, 1995 and April 4, 1995, in Queens, New York, AHMAD ABOUSHI, PETER STIEBEL, SHAWN STIEBEL, and EZZ FARAJ, together with others, transferred the cases of cigarettes from the above-referenced truck into three smaller rental trucks.

d. On or about April 4, 1995, AHMAD ABOUSHI and SHAWN STIEBEL drove one of the rental trucks referenced in subparagraph c, from Queens, New York to Detroit, Michigan.

e. On or about April 4, 1995, PETER STIEBEL drove one of the rental trucks referenced in subparagraph c from Queens, New York to Detroit, Michigan.

f. On or about May 26, 1995, PETER STIEBEL, GLEN ALAN MOORE, and EZZ FARAJ drove a rental car from Miami, Florida to Winston-Salem, North Carolina.

g. On or about May 26, 1995, PETER STIEBEL possessed a .40 caliber firearm.

h. On or about May 27, 1995, PETER STIEBEL, GLEN ALAN MOORE, and EZZ FARRAJ followed two tractor trailer trucks containing cases of cigarettes from a R.J. Reynolds cigarette manufacturing facility in Winston-Salem, North Carolina to a truck stop near Lincoln, Alabama.

i. On or about May 27, 1995, near Lincoln, Alabama, PETER STIEBEL and GLEN ALAN MOORE stole one of the trucks referenced in subparagraph h and its contents and kidnapped the truck driver.

j. On or about May 27, 1995, PETER STIEBEL and GLEN ALAN MOORE drove the truck referenced in subparagraph i from Lincoln, Alabama to Atlanta, Georgia.

k. On or about December 18, 1995, in Richmond, Virginia, PETER STIEBEL and NARVIS BENTON stole a truck and attached it to a stolen trailer containing cases of cigarettes.

l. On or about December 18, 1995, PETER STIEBEL and NARVIS BENTON drove the truck referenced in subparagraph k from Richmond, Virginia to Staten Island, New York.

m. On or about and between December 18, 1995 and December 25, 1995, in Brooklyn, New York, PETER STIEBEL, NARVIS

BENTON, and AHMAD ABOUSHI transferred the cases of cigarettes from the trailer described in subparagraph k into rental trucks.

n. On or about and between October 31, 1996 and November 1, 1996, PETER STIEBEL removed stolen cases of cigarettes from a stolen trailer in Linden, New Jersey.

o. On or about and between April 26, 1997 and May 1997, PETER STIEBEL removed stolen cigarettes from a trailer in Linden, New Jersey.

(Title 18, United States Code, Sections 371 and 3551
et seq.)

COUNT THREE
(Kidnapping)

4. On or about and between March 27, 1995 and March 28, 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL and EZZ FARAJ, together with others, knowingly, intentionally, and unlawfully seized, confined, kidnapped, abducted, and carried away a person, to wit: the driver of a

truck belonging to Highway Express, Inc., and willfully transported such person in interstate commerce.

(Title 18, United States Code, Sections 1201(a)(1), 2, and 3551 et seq.)

COUNT FOUR
(Highway Express, Inc. Robbery)

5. On or about March 27, 1995, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, and EZZ FARAJ, together with others, knowingly and intentionally obstructed, delayed, and affected commerce, and the movement of articles in commerce, by robbery, in that the defendants and others did rob the driver of a truck belonging to Highway Express, Inc.

(Title 18, United States Code, Sections 1951, 2, and 3551 et seq.)

COUNT FIVE
(Use of a Firearm: Highway Express, Inc.)

6. On or about March 27, 1995 within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL and EZZ FARAJ, together with others, knowingly and intentionally used and carried a firearm during and in relation

to crimes of violence, to wit: the crimes charged in Counts Three and Four of this indictment.

(Title 18, United States Code, Sections 924(c)(1), 2, and 3551 et seq.)

COUNT SIX

(Theft From Interstate Shipment: Highway Express, Inc.)

7. On or about and between March 27, 1995 and April 4, 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, EZZ FARAJ, and SHAWN STIEBEL, together with others, knowingly and intentionally possessed goods and chattels, to wit: cigarettes, having a value in excess of \$100.00, which were stolen from a motortruck and which moved as and which constituted and which were part of an interstate and foreign shipment of freight, knowing the same to have been stolen.

(Title 18, United States Code, Sections 659(1996), 2, and 3551 et seq.)

COUNT SEVEN

(Transportation of a Stolen Vehicle: Freightliner Tractor)

8. On or about and between March 27, 1995 and March 28, 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER

STIEBEL, AHMAD ABOUSHI, and EZZ FARAJ, together with others, knowingly and intentionally transported a motor vehicle, to wit: a 1993 Freightliner tractor, in interstate commerce, knowing the same to have been stolen.

(Title 18, United States Code, Sections 2312, 2, and 3551 et seq.)

COUNT EIGHT

(Transportation of Stolen Property: Highway Express, Inc.)

9. On or about and between March 28, 1995 and April 4, 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, EZZ FARAJ, and SHAWN STIEBEL, together with others, knowingly and intentionally possessed and sold goods, wares, and merchandise, to wit: cases of cigarettes, having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken.

(Title 18, United States Code, Sections 2315, 2, and 3551 et seq.)

COUNT NINE
(Amanday Express, Inc. Robbery)

10. On or about May 27, 1995, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, EZZ FARAJ, and GLEN ALAN MOORE, together with others, knowingly and intentionally obstructed, delayed, and affected commerce, and the movement of articles in commerce, by robbery, in that the defendants and others did rob the drivers of two trucks belonging to Amanday Express, Inc.

(Title 18, United States Code, Sections 1951, 2, and 3551 et seq.)

COUNT TEN
(Use of a Firearm: Amanday Express, Inc.)

11. On or about May 27, 1995, within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL, GLEN ALAN MOORE, and EZZ FARAJ, together with others, knowingly and intentionally used and carried a firearm during and in relation to a crime of violence, to wit: the crime charged in Count Nine of this indictment.

(Title 18, United States Code, Sections 924(c)(1), 2, and 3551 et seq.)

COUNT ELEVEN

(Theft From Interstate Shipment: Amanday Express, Inc.)

12. On or about and between May 27, 1995 and June 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, EZZ FARAJ, and GLEN ALAN MOORE, together with others, knowingly and intentionally possessed goods and chattels, to wit: cigarettes, having a value in excess of \$100.00, which were stolen from two motortrucks and which moved as and which constituted and which were part of an interstate and foreign shipment of freight and other property, knowing the same to have been stolen.

(Title 18, United States Code, Sections 659(1996), 2, and 3551 et seq.)

COUNT TWELVE

(Transportation of Stolen Vehicles: Freightliner Tractors)

13. On or about and between May 27, 1995 and May 30, 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL, AHMAD ABOUSHI, GLEN ALAN MOORE, and EZZ FARAJ, together with others, knowingly and intentionally transported two motor vehicles, to wit: a 1989 Freightliner tractor and a

1991 Freightliner tractor, in interstate commerce, knowing the same to have been stolen.

(Title 18, United States Code, Sections 2312, 2, and 3551 et seq.)

COUNT THIRTEEN

(Transportation of Stolen Property: Amanday Express, Inc.)

14. On or about and between May 27, 1995 and June 1995, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, EZZ FARAJ, and GLEN ALAN MOORE, together with others, knowingly and intentionally possessed and sold goods, wares, and merchandise, to wit: cigarettes, having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken.

(Title 18, United States Code, Sections 2315, 2, and 3551 et seq.)

COUNT FOURTEEN

(Theft From Interstate Shipment: Philip Morris)

15. On or about December 18, 1995, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, and NARVIS BENTON, together with others,

knowingly and intentionally possessed goods and chattels, to wit: cigarettes, having a value in excess of \$100.00, which were stolen from a motortruck, other vehicle, storage facility, station, and depot and which moved as and which constituted and which were part of an interstate and foreign shipment of freight and other property, knowing the same to have been stolen.

(Title 18, United States Code, Sections 659(1996), 2, and 3551 et seq.)

COUNT FIFTEEN

(Transportation of a Stolen Vehicle: International Harvester Tractor)

16. On or about December 18, 1995, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI, PETER STIEBEL, and NARVIS BENTON, together with others, knowingly and intentionally transported a motor vehicle, to wit: a 1993 International Harvester Model F9400 tractor, in interstate commerce, knowing the same to have been stolen.

(Title 18, United States Code, Sections 2312, 2, and 3551 et seq.)

COUNT SIXTEEN

(Transportation of Stolen Property: Philip Morris)

17. On or about December 18, 1995, within the Eastern District of New York and elsewhere, the defendants AHMAD

ABOUSHI, PETER STIEBEL, and NARVIS BENTON, together with others, knowingly and intentionally possessed and sold goods, wares, and merchandise, to wit: cigarettes, having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken.

(Title 18, United States Code, Sections 2315, 2, and 3551
et seq.)

COUNT SEVENTEEN

(Theft From Interstate Shipment: Lorillard Tobacco Co.)

18. On or about and between October 31, 1996 and November 1, 1996, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI and PETER STIEBEL, together with others, knowingly and intentionally possessed goods and chattels, to wit: cigarettes, having a value in excess of \$1000.00, which were stolen from a motortruck, other vehicle, storage facility, station, and depot and which moved as and which constituted and which were part of an interstate and

foreign shipment of freight and other property, knowing the same to have been stolen.

(Title 18, United States Code, Sections 659, 2, and 3551 et seq.)

COUNT EIGHTEEN

(Transportation of a Stolen Vehicle: International Harvester Tractor)

19. On or about and between October 31, 1996 and November 1, 1996, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL and AHMAD ABOUSHI, together with others, knowingly and intentionally transported a motor vehicle, to wit: a 1990 International Harvester Model F8300 tractor, in interstate commerce, knowing the same to have been stolen.

(Title 18, United States Code, Sections 2312, 2, and 3551 et seq.)

COUNT NINETEEN

(Transportation of Stolen Property: Lorillard Tobacco Co.)

20. On or about and between October 31, 1996 and November 1, 1996, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI and PETER STIEBEL, together with others, knowingly and intentionally possessed and sold goods,

wares, and merchandise, to wit: cigarettes, having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken.

(Title 18, United States Code, Sections 2315, 2, and 3551 et seq.)

COUNT TWENTY

(Theft From Interstate Shipment: Lorillard Tobacco Co.)

21. On or about and between April 26, 1997 and May 1997, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI and PETER STIEBEL, together with others, knowingly and intentionally possessed goods and chattels, to wit: cigarettes, having a value in excess of \$1,000.00, which were stolen from a motortruck, other vehicle, storage facility, station, and depot and which moved as and which constituted and which were part of an interstate and foreign shipment of freight and other property, knowing the same to have been stolen.

(Title 18, United States Code, Sections 659, 2, and 3551 et seq.)

COUNT TWENTY-ONE

(Transportation of a Stolen Vehicle: Peterbilt Tractor)

22. On or about and between April 26, 1997 and May 1997, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER STIEBEL and AHMAD ABOUSHI, together with others, knowingly and intentionally transported a motor vehicle, to wit: a 1992 Peterbilt Model 337 tractor, in interstate commerce, knowing the same to have been stolen.

(Title 18, United States Code, Sections 2312, 2, and 3551 et seq.)

COUNT TWENTY-TWO

(Transportation of Stolen Property: Lorillard Tobacco Co.)

23. On or about and between April 26, 1997 and May 1997, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AHMAD ABOUSHI and PETER STIEBEL, together with others, knowingly and intentionally possessed and sold goods, wares, and merchandise, to wit: cigarettes, having a value of \$5,000.00 or more, which had crossed a State boundary after having been stolen,

unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken.

(Title 18, United States Code, Sections 2315, 2, and 3551 et seq..)

Criminal Forfeiture

24. The allegations set forth in paragraphs 8, 13, 16, 19, and 22 are repeated and realleged as though fully set forth herein.

25. As a result of the offenses set forth in Counts Seven, Twelve, Fifteen, Eighteen, and Twenty-One of this indictment, the defendants AHMAD ABOUSHI and EMAN ABOUSHI shall forfeit to the United States any and all property, real and personal, which represents and is traceable to the gross proceeds obtained, directly and indirectly, as a result of the violations of 18 U.S.C. § 2312, as to which proceeds the defendants are jointly and severally liable in the total amount of \$4,100,000, including but not limited to the following:

- (a) Fleet Bank Account Number 7104538238
- (b) Property contained in the following safe deposit boxes at Fleet Bank:
 - (1) 01160104005262
 - (2) 10104005628

(3) 10104001956

(c) Real Property located at:

- (1) 714 53rd Street, Brooklyn, New York 11220,
- (2) 7007 Fort Hamilton Parkway, Brooklyn, New York 11228,
- (3) 4922 and 4924 Fourth Avenue, Brooklyn, New York 11220,
- (4) 6426 Calhoun Street, Dearborn, Michigan 48126,
and
- (5) 1274 N.W. 62nd Street, Miami, Florida 33147.

(Title 18, United States Code, Section 982(a)(5))

A TRUE BILL

FOREPERSON

ZACHARY W. CARTER
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: Zachary W. Carter
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.131

No. -----

UNITED STATES DISTRICT COURT

EASTERN -- District of NEW YORK
CRIMINAL ----- Division

THE UNITED STATES OF AMERICA

vs.

AHMAD ABOUSHI, et al.,

Defendants.

INDICTMENT

(Title 18, U.S.C., §§ 371, 659, 924(c)(1),
928(a)(5), 1201(a)(1), 1951, 2312, 2315
2 and 3551 et seq.)

A true bill.

Foreman

Filed in open court this ----- day,

of ----- A.D. 19 -----

Clerk

Bail, \$ -----

DAVID PORTER, AUSA (718) 254-6142